

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: David Quigley, AICP, Planning and Zoning Manager/(954)797-1103

PREPARED BY: Lise Bazinet, Planner II

SUBJECT: Delegation Application: DG 2-2-08/08-18/Griffin 78 Plat/7780 Griffin Road

AFFECTED DISTRICT: District 2

ITEM REQUEST: Schedule for Council Meeting

TITLE OF AGENDA ITEM: EASEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A REQUEST TO REMOVE AN EXISTING 15 FOOT DRAINAGE EASEMENT ALONG THE SOUTHERN PROPERTY LINE ON THE PLAT KNOWN AS "GRIFFIN 78", AND PROVIDING AN EFFECTIVE DATE. (DG 2-2-08, Griffin 78 Plat)

REPORT IN BRIEF: The petitioner (Fifth Third Bank) is requesting approval to remove an existing 15 foot drainage easement along the southern property line on the plat known as "Griffin 78 Plat." This plat was approved by Town Council on November 15, 2000. As stated in the petitioner's justification letter, the intent of this easement was to provide drainage access for the adjacent property to connect to the infrastructure from SW 78th Avenue. However, the adjacent property to the south (SaddleBridge), the beneficiary of the subject easement, now has an approved site plan and has obtained permits to develop the site without utilizing this easement. The petitioner has also provided a copy of a resolution from Central Broward Water Control District (CBWCD) indicating no objection to removal of the drainage easement (see attachment).

PREVIOUS ACTIONS: n/a

CONCURRENCES: n/a

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S): Staff finds the application complete and suitable for transmittal to the Town Council for further consideration.

Attachment(s): Resolution, Justification letter, Plat, CBWCD approval letter, Future Land Use Map, Aerial, Zoning, & Subject Site Map

RESOLUTION NO. _____

A A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
APPROVING A REQUEST TO REMOVE AN EXISTING 15 FOOT
DRAINAGE EASEMENT ALONG THE SOUTHERN PROPERTY
LINE ON THE PLAT KNOWN AS "GRIFFIN 78", AND PROVIDING
AN EFFECTIVE DATE.

WHEREAS, the boundary plat known as "Griffin 78 Plat" was recorded in the
public records of Broward County in Plat Book 171, Page 134; and

WHEREAS, the owner is requesting remove the existing 15 foot drainage
easement along the south property line; and

WHEREAS, Broward County requires that the Town of Davie concur with this
amendment prior to a review of the proposed revision by Broward County Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN
OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie does hereby approve
removing the existing 15 foot drainage easement along the south property line on the plat
known as "Griffin 78".

SECTION 2. This resolution shall be recorded in the Broward County public
records.

SECTION 3. This resolution shall take effect immediately upon its passage and
adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2008.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2008.

Exhibit (Justification Letter)



**GENTILE
HOLLOWAY
O'MAHONEY**
ASSOCIATES, INC.
Landscape Architects
Planners and Environmental
Consultants • LC-0000177

George G. Gentile, FASLA
M. Troy Holloway, ASLA
Emily O'Mahoney, ASLA

Fifth Third Bank
Vacation of Drainage Easement
February 19, 2008
Updated: September 24, 2008

Gentile Holloway O'Mahoney & Associates, Inc. in acting as agent for the applicant is requesting the vacation of a 15' drainage easement. The drainage easement is located along the south property line of 7780 Griffin Road, within the Town of Davie. The site encompasses a total of 76,105SF or 1.75 acres, the easement to be vacated contains 4,500 S.F. or 0.10 acres of land.

The intent of the easement was to provide drainage access for the adjacent property to connect to the infrastructure on SW 78th Avenue. However when Centerline Homes, the owner of the neighboring parcel to the south, designed the drainage for the site this easement was not utilized. Thus, there is no longer a need to maintain the easement.

Therefore, on behalf of our client, Gentile Holloway O'Mahoney & Associates, Inc. respectfully request approval of the vacation of the 15' drainage easement due to the fact that the drainage access is no longer needed by the adjacent property owner.

1807 Commerce Lane, Suite 101
Jupiter, Florida 33455
561-575-9557
561-575-5250 FAX
www.landscape-architects.com

Exhibit (CBWCD letter of Approval)

FROM : CBWCD

FAX NO. : 9544328603

Oct. 02 2008 02:06PM P7

**CENTRAL BROWARD WATER CONTROL DISTRICT
RESOLUTION NO.: 08-01**

**A RESOLUTION OF THE CENTRAL BROWARD WATER CONTROL
DISTRICT APPROVING THE VACATION OF DRAINAGE EASEMENT
FIFTH THIRD PROPERTY**

WHEREAS, Central Broward Water Control District, hereinafter referred to as "District", is an independent special district which is a political subdivision of the State of Florida which provides necessary drainage, flood control, environmental oversight and other important water management services to the residents of Broward County located within the boundaries of the District; and

WHEREAS there presently exists a drainage easement over and across the property located at 7780 Griffin Road, Davie, Florida, known as the Fifth Third Property. The property and drainage easement are more fully described in the attached easement, Exhibit A; and

WHEREAS District is named specifically in the dedication language of the most recent plat of the subject property, Exhibit B; and

WHEREAS District has been provided with a drainage design for the Fifth Third property and for Centerline Homes, attached hereto as Exhibit C; and

WHEREAS District has determined that the existing easement can be vacated; and

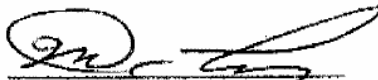
WHEREAS property owner has provided a drainage plan in accordance with District criteria.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Central Broward Water Control District, as follows:

1. The Central Broward Water Control District has no objection to and approves the vacation of the attached drainage easement, as recorded in Plat Book 171, at Page 134, of the Public Records of Broward County, Florida.
2. That the District Manager is directed to forward this Resolution to the appropriate individuals and/or Broward County officials.
3. This resolution shall become effective immediately upon its adoption and shall be recorded at expense of property owner.

ADOPTED AND DATED the 23rd day of January, 2008.

Attest:


Michael Crowley, Secretary

By:

CENTRAL BROWARD WATER
CONTROL DISTRICT


Douglas Bell, Chair

INSTR # 107780757
OR BK 45210 - Pages 1555 - 1585
RECORDED 03/24/08 14:36:51
BROWARD COUNTY COMMISSION
DEPUTY CLERK 1025

DRR Development

Exhibit (Future Land Use Map)

